99

BEFORE THE HON'BLE HIGH COURT OF MADHYA PRADESH
AT JABALPUR.

Steel Authority of India Ltd.,
Bhilai Steel Plant,
Through : Managing Director,
Bhilai Steel Plant. ... Petitioner.

VERSUS

1. State of Madhya Pradesh,
Through : Principal Secretary,
Labour Deptt. Govt. of M.P.

2. Controlling Authority,
Under the Payment of Gratuity Act,
Nehru Nagar, Bhilai Distt. Durg MP

3. Asstt. Labour Commissioner,
Nehru Nagar, Bhilai Distt. Durg MP

4. Shri Satya Prakash Verma,
Asstt. Labour Commissioner,
C/o Labour Commissioner, Indore.

5. Shri Rajput, Labour Inspector,
C/o Asstt. Labour Commissioner,
Nehru Nagar, Bhilai Distt. Durg MP.

6. Shri R.S.Kashyap,
Maharaj Chauk, New Adarsh Nagar,
Durg.

PETITION UNDER ART. 226/227 OF THE CONSTITUTION OF INDIA AGAINST THE ORDER DT. 24.6.98 OF CONTROLLING AUTHORITY UNDER THE PAYMENT OF GRATUITY ACT (ALC, DURG) PASSED IN CASE NO. 11/PGA/DG/97 ENCLOSING THEREWITH A LIST OF 290 CASES AND ORDERING TO CALCULATE THE GRATUITY IN RESPECT OF 290 CASES.

CLERK
M/s. Advocate Genl
M.P. JABALPUR

S/Shri

7. Akshayvot Singh,
Annapurna Kirana Stores, Laxmi Nagar,
Kohka, Supela, Bhilai, Distt. Durg.

8. Gunnuvan Goswami,
Purani Basti, Kohka, Supela, Bhilai,
Distt. Durg.

9. D.D.Pandey,
18, St.-13, Sector-1, Bhilai, Distt.Durg.

10. Kamlendu Adhikari, MIG-C-480,
MPHB, Padmanabhpur, Durg.

11. A.K.Shah,
12-A, Adarsh Nagar, Durg.

12. J.N.Rajput,
MIG-I/884/HUDCO, Bhilai, Distt.Durg.

13. C.R.Chakravorty,
51-B, Akanksha Kunj, Risali, Bhilai,
Distt. Durg(MP).

14. A.K.Dutta,
238-B/Street-6, Smriti Nagar, Bhilai,
Distt. Durg.

15. P.O.Patil,
7-A, Harshad Bhawan, Chandra Nagar,
Risali, Bhilai, Distt. Durg.

16. U.N.Banerjee,
H/41-B, Maroda Sector, Bhilai,
Distt. Durg.

17. M.G.Joseph,
Joy Bhavan, Paradise Complex,
Borsi Bhata, Durg.

18. C.H.S.Rao,
MIG-II, 387, HUDCO, Bhilai, Distt.Durg.

19. P.P.Samuel,
Plot No. 12, Jawahar Nagar, Durg.

20. V.N.Mishra,
MIG-II, 189, HUDCO, BHILAI, Distt.Durg.

Okaka died 21. Kartik Ram Sahu,
C-Pocket, Qr.No.25-B,
Maroda Sector, Bhilai, Distt.Durg.

22. A.K.S.Pillai,
Mukadiyil P.O., Panangadu,
(Via) Kalanada, Pin-689503,
Distt. Pathanamthitta, Kerala.

Contd...2/-

23. P.S.Mehta,
MIG-I,761,HUDCO,Bhilai, Distt.Durg.

24. O.P.Singhal,
Agrawal Provision & General Stores,
45, SADA Complex, Nehru Nagar,Bhilai,
Distt. Durg.

25. S.S.Jagat,
K/5, Adarsh Nagar, Varsa Bhavan,
Durg.

26. A.Haque,
11-B, Street-32, Sector-10,Bhilai,
Distt. Durg.

27. Kehar Singh,
272-A, Risali Sector,Bhilai,Distt.Durg.

28. Y.R.Nayar,
3A, St.-32, Sector-5,Bhilai,Distt.Durg.

29. Ratan Lal Goyal,
EWS-190, Vaishali Nagar, Bhilai,
Distt. Durg.

30. K.G.Sharma,
EWS-190, Vaishali Nagar, Bhilai,Distt.Durg.

31. S.R.Janghle,
Kohka-Sirsa Road, Near Mishra Bhawan,
Kohka, Bhilai, Distt. Durg.

32. A.K.Roy,
4A, St.-17, Sector-2,Bhilai, Distt.Durg.

33. G.Seshgiri Rao,
MIG-I, 10, HUDCO, Bhilai,Distt.Durg.

34. N.P.Soni,
7B, Central Avenue, Smriti Nagar,Bhilai,
Distt. Durg.

35. A. Haleem
LIG-123, HUDCO,Bhilai, Distt.Durg.

36. N.K.Sablok,
LIG-15, Padmanabhpur, Durg.

37. Mohan Lal Dewangan,
MIG-I/580,HUDCO, Bhilai, Distt.Durg.

38. G.K.Malik,
2B, St.-13, Sector-10,Bhilai,Distt.Durg.

39. Abdul Latif,
25-B,St.-27, Sector-4,Bhilai,Distt.Durg.

40. T.V.Pappi,
9-A/St.-11,Sector-7,Bhilai,Distt.Durg.

Contd...3/-

41. C.P.Meshram,
House No.575, Ward-11, Mohan Nagar,
Naya Ama Para, Durg.

42. S.P.Rao,
22-A/Street-2, Sector-1, Bhilai, Distt.Durg.

43. R.N.Pandey,
LIG-256, Padmanabhpur, Durg.

44. Bansidhar Jhan,
L/291, Padmanabhpur, Durg.

45. Govardhan P.Sharma,
5A/St.-3A, Maitri Nagar,
Risali, Bhilai, Distt.Durg.

46. M.S.Gill,
9A, St.39, Sector-7, Bhilai, Distt.Durg.

47. S.C.Chakravorty,
LIG-251, HUDCO, Bhilai, Distt.Durg.

48. A.A.Fazali,
St.-20, 16-A, Sector-2, Bhilai, Distt.Durg.

49. D.N.Shimpi,
2B, St.-14, Sector-I, Bhilai, Distt.Durg.

50. R.K.Soni,
36/4, Nehru Nagar(West), Bhilai, Distt.Durg.

51. C.T.Rughani
Plot No10, Block 25, Nehru Nagar, Bhilai
Dist. Durg.

52. Santosh Pradhan,
31D, St. 1, Sector-I, Bhilai Distt. Durg.

53. N.Gopinathan,
1B, St. 29, Sector-4, Bhilai Distt. Durg.
(1U Type)

54. Bahadur Singh,
LIG-55, Vaishali Nagar, Bhilai Distt. Durg.

55. R.G.Chopekar
Sikola Bhata, Prem Nagar, Durg.

56. Deepak Ranjan Majumdar,
Professor Colony, Deepak Nagar,
Durg.

57. S.L.Tiwari,
7A, St. 22, Sector-I, Bhilai Distt. Durg.

58. S.K,Kayal,
MIG-I/727, HUDCO, Bhilai Distt. Durg M.P.

59. B.K.Agrawal,
SMA-4, Padum Nagar, Bhilai Distt. Durg.

60. D.B.Maske,
217, MIG-II, HUDCO, Bhilai Distt. Durg M.P.

Contd...4/-.

Badri Prasad Bhartiya,
M-565, Padmnabhpur, Durg M.P.

62. A.N.Rao
MIG-I/14, HUDCO, Bhilai Distt. Durg M.P.

B.B.:Patil.
Block No. 26, Plot No. 1, Nehru Nagar, Bhilai
Distt. Durg M.P.

4. K.S.Surendra,
Surabhi, MIG-II/485, HUDCO, Bhilai Distt. Durg.

65 N.G.Kutty Nair,
MIG-II/476, HUDCO, Bhilai Distt. Durg.

66. K.K.Srivastava,
House No. 325, Ward-8, Gopal Mandir Road, Burg
Distt. Durg M.P.

67. R.S.Agrawal,
14A, St. 12, Sector- I, Bhilai Distt. Durg M.P.

68. D.S.Thakur,
Barai Para, Opp. Marwadi School, Durg.

69. S.G.Moons,
STD Kela Badi Shopping Complex,
Kasaridih, Durg M.P.

70. D.C.Jain,
Near Alka Typing, Opp. Jain Mandir, Durg.

71. Deepak Lal Shrivastava,
Ward-5, Kayasth Para, Durg.

72. D.B.Aich,
EWS-419, Vaishali Nagar, Bhilai Distt. Durg .

73. G.K.Panickar,
LIG-130, HUDCO, Bhilai Distt. Durg.

74. P.Anand Rao,
MIG-I/4, HUDCO, Bhilai Distt. Durg M.P.

75. Shivpujan Prasad,
96-A, VIP Nagar, Bajarang Bhawan,
Risali, Bhilai Distt. Durg M.P.

76. V.K.S.Panickar,
House No. 68, Borsi Bhata, Paradise Complex, Durg.

77. Kishan Singh,
Qr.No. 3E, St. 66, Sector-6, Bhilai Di tt. Durg.

78. A.M.Joshi,
Plot No. 158, C-Type, St.17, Smriti Nagar, Bhilai
Distt. Durg.

79. N.G.Pillai,
11B, St. 10, Sector-7, Bhilai Distt. Durg.

80. D.K.Diwakaran,
Near Borsi, Durg.

Contd....5/-.

81. B.D.Das,
1C, St. 12, Sector- 5, Bhilai Dist. Durg M.P.

82. N.H.Patil,
MIG-II,473, HUDCO, Bhilai, Distt. Durg MP.

83. C.S.Kurrey,
Vill. Nardlia, Jamul Cement Works,
Bhilai Distt. Durg M.P.

84. S.M.Sarkar,
Qr.No.11, Block-No.C-8, SEI Colony,
Sector-VIII, Bhilai,Distt.Durg.

85. V.M.Thomas,
Qr.No.MIG-II/1, HUDCO,Bhilai,Distt.Durg.

86. D.P.Deshpandey,
Parisat-L-258, Padmanabhpur,Durg.

87. R.L.Thakur,
Mill Para,Durg.

88. S.S.Dubey,
248, MIG-I, HUDCO,Bhilai,Distt.Durg.

89. A.V.Swamy,
243, MIG-I, HUDCO,Bhilai, Distt.Durg.

90. ~~XXXKxxkxkx~~ V.M.Kanthak,
Qr.No.MIG-I,203, HUDCO,Amdi Nagar,Bhilai,
Distt.Durg.

91. D.V.Rao,
Qr.No.9-A,St.-15, Sec.-7,Bhilai,Distt.Durg.

92. G.K.Agrawal,
6-B,246, Shanti Nagar, Bhilai,Distt.Durg.

93. G.N.Agrawal,
R-2, Anurag,Nagar Adarsh Nagar,Durg.

94. Pramod Kumar,
7-A,St.-17, Sector-2,Bhilai,Distt.Durg.

95. S.K.Singh(Shiv Kumar),
11-B, St.18, Sector-2, Bhilai,Distt.Durg.

96. G.N.Dutta,
25/1, Maitri Nagar,Bhilai,Distt.Durg.

97. P.Tulsi Ram,
50/3, Radhika Nagar, Supela,Bhilai,Distt.Durg.

98. A.U.Chiddarwar,
Plot No.86, Phase-3A, Maitri Nagar,
Bhilai,Distt.Durg.

99. C.S.Singh,
Plot No.7, Block No.46, Nehru Nagar,
Bhilai,Distt.Durg.

Contd...6/-

100. R.B.Singh,
Plot No. 272, St.-20,Smiriti Nagar,
Bhilai,Durg.

101. J.V.Raman,
MIG-II,352, HUDCO,Bhilai.Distt.Durg.

102. N.P.Gupta,
MIG-I/561, HUDCO,Bhilai,Distt.Durg.

103. S.V.Shinde,
MIG-336/I,HUDCO,Bhilai,Distt.Durg.

104. P.N.Samuel,
MIG-598, Padmanabhpur,Durg.

105. K.G.Verghese,
A-94, St.27, Smriti Nagar,Bhilai,Distt.Durg.

106. Janardan Pandey,
7-B, St.-11, Sector-4,Bhilai,Distt.Durg.

107. K.C.Singha,
MIG-I,906, HUDCO, Bhilai,Distt.Durg.

108. M.V.Reddy,
MIG-II/338, HUDCO,Bhilai,Distt.Durg.

109 N.Basu Pillai,
MIG-I/34, HUDCO,Bhilai,Distt.Durg.

110. R.M.Mankar,
MIG-I,482, HUDCO,Bhilai, Distt.Durg.

111. M.K.Bhattacharya,
House No. 468, Mukut Nagar, Titurdih,Durg.

112. S.K.Mukherjee,
Block No.16,Quarter No.3,Radhika Nagar,
Supela,Bhilai,Distt.Durg.

113. Srinath Pandey,
Santosh General Electrical Store,
'A' Market,Sector-2,Bhilai, Distt.Durg.

114. P.N.Tripathi,
LIG-77, Vaishali Nagar,Bhilai,Distt.Durg.

115. V.D.Bhatt,
LIG-39, HUDCO, Bhilai,Distt.Durg.

116. N.C.Turate,
34/10, Nehru Nagar(East),Bhilai,Distt.Durg.

117. M.I.Quereshi,
Zeenat Manjil, Kelabai,Durg.

118. D.V.Reddy,
7A,St.15,Sector-V,Bhilai,Distt.Durg.

119. M.L.Bhartiya,
3B, St.23,Sector-I,Bhilai,Distt.Durg.

Contd...7/-

S 120. V.V.Somyajulu,
3/29, Ispat Nagar,Risali, Bhilai,
Distt. Durg.

S 121. Ranjit Kumar Chowdhary,
M-579, Padmanabhpur,Durg.

S 122. S.M.Brahma,
C/o D.K.Biswas, 2/28, Ispat Nagar,
Risali, Bhilai, Distt. Durg.

S 123. A.K.Chakravorty,
34, Teachers' Colony, P.O.Agarpara,
Distt. 24, Parganas, West Bengal.

124. T.K.Roychowdhary,
BK No.3, St.-1, Pragati Nagar,
Risali, Bhilai, Distt.Durg(MP).

S 125. A.R.Bhadra,
LIG-567, Padmanabhpur,Durg.

S 126. D.k.Vishwas,
2/28, Ispat Nagar, Risali,Bhilai,
Distt.Durg.

127. N.G.Moitra,
2/23, Ispat Nagar, Risali,Bhilai,Distt.Durg.

S 128. Babban Khan,
129, Ayyappa Nagar, Supela,Bhilai,
Distt.Durg.

S 129. P.K.Basu,
C/o D.K.Bishwas, 2/28, Ispat Nagar,
Risali,Bhilai, Distt.Durg.

S 130. V.N.Chaddha,
1A,St.30, Sector-4,Bhilai,Distt.Durg.

S 131. A.C.Verma,
MIG-I/855, HUDCO,Bhilai,Distt.Durg.

S 132. G.N.Panda,
MIG-I/570, HUDCO,Bhilai, Distt.Durg.

S 133. A.K.Mazumdar,
16/4, Motilal Nehru Nagar(E),Bhilai
Distt.Durg.

S 134. R.H.Upadhyay,
46/10, Vaishali Nagar, Supela,Bhilai,
Distt. Durg.

S 135. Smt. Minali Ray Chaudhari
66/5, Maitri Nagar, Risali, Bhilai.
Distt. Durg.

S 136. Arjun Das Paul,
B-551, St.3, Smriti Nagar,Bhilai,
Distt.Durg.

S 137. V.K.Sureen,
Qr.No.2, St.-9,A-Sector,Panchsheel Housing
Society, Borsi, Durg.

138. B.Neogi,
MIG-I/927, HUDCO, Bhilai, Distt.Durg.

139. M.P.Mathew,
25-A/36/4, Bhilai, Distt.Durg.

140. Prabhakar Chate,
1-A/St.29, Sector-X, Bhilai, Distt.Durg.

141. Surendra Kumar Jain,
HIG-81, HUDCO, Bhilai, Distt.Durg.

142. P.K.Purohit,
8A, St.2, Sector-10, Bhilai, Distt.Durg.

143. Ram Janam Singh,
MIG-223, Padmanabhpur, Durg.

144. M.P.Singh,
10-B, St-6, Sector-10, Bhilai, Distt.Durg.

145. M.V.Ramana,
House No.5, Phase-6, Maitri Nagar,
Bhilai, Distt.Durg.

146. L.P.Visshwakarma,
Saraswati Bhawan, Kohka Road, Rajendra
Prasad Chowk, Shanti Nagar, Bhilai,
Distt.Durg.

---

147. T.K.G.K.Pillai,
Thayyil House, Kotampalli, Madathilakaranama,
P.O.Cochira, Kerala State.

148. P.K.Misra,
C/o F.L.Verma, 28-H, St.3, Sector-2, Bhilai,
Distt. Durg.

149. S.C.Jain,
Vardhaman Enterprises,
Shop No.9, Sector-8, Bhilai, Distt.Durg.

150. Balwant Shukla,
MIG-I/902, HUDCO, Bhilai, Distt.Durg.

151. L.P.Soni,
B-58, St.-11, Smriti Nagar, Bhilai, Distt.Durg.

152. Y.Srisailam,
7B, St-13, Sector-V, Bhilai, Distt.Durg.

153. Someshwar Singh,
2-A, St-4, Sector-4, Bhilai, Distt.Durg.

154. P.M.Kurien,
M-630, Padmanabhpur, Durg.

155. N.R.Mukherjee,
MIG-248, Padmanabhpur, Durg.

156. G.Maharana,
8A, St.14, Sector-1, Bhilai, Distt.Durg.

Contd..9/-

S 157. J.B.Shukla,
Plot No.6, EK-15,Nehru Nagar(East),Bhilai,
Distt.Durg.

S 158. M.N.B.Pillai,
1-A/St.20,Sector-1,Bhilai, Distt.Durg.

S 159. T.B.Chandrasekharan,
MIG-I/279,HUDCO,Bhilai,Distt.Durg.

S 160 G.L.Sahu,
MIG-II/154,HUDCO,Bhilai,Distt.Durg.

161. S.V.Singh,
Maitri Kunj,Bhilai,Distt.Durg.

162. D.M.Pillai,
10-B,St.-8,Sector-10,Bhilai,Distt.Durg.

163. M.K.Joshi,
C/o Anant Joshi,Staff Reporter, Jansatta
Daily, Express Tower, Nariman Point,Bombay.

164. R.S.Karmakar,
14, Shakti Vihar,Bhilai,Distt.Durg.

S 165. M.G.Dhabu,
6-B/St.-32,Sector-4,Bhilai,Distt.Durg.

S 166. P.R.Sao,
Kelabadi,Durg, In front of Sahu Sadan,
Ward No.38,Durg.

S 167. N.R.Das,
LIG-308,Padmanabhpur,Durg.

S 168. A. Radhakrishnan,
Plot No.4, Ayyappa Nagar,Supela,Bhilai,
Distt.Durg.

S 169. R.D.Pandey,
3-A/St.12,Sector-1,Bhilai,Distt.Durg.

S 170. Baipal Singh,
32, Ayyappa Nagar, Bhilai,Distt.Durg.

S 171. S.K.Ghosh,
Plot No.A-9/5, Konnagar Govt. Housing
Complex, 134/3, C.S.Mukherjee Street,
P.O.Konnagar, Distt.Hugli,West Bengal.

S 172. T.C.Verghese,
Thuruthel House, P.O.Karikuzhy,
Marathupurval, Via-Tiruvalla,Kerala.

173. K.K.Basu,
11-C,St.-33,Sector-10,Bhilai,Distt.Durg.

S 174. S.K.Ghosh,
3/29, Ispat Nagar,Risali,Bhilai,Distt.Durg.
2. 451, Sarat Chatterjee Road, P.O. B.Garden,
Distt. Howrah(WB).

Contd..10/-

175. A.B.Kulkarni,
LIG-II,HUDCO,Bhilai,Distt.Durg.

176. K.K.Dutta,
Phase-II, Plot No.3,Maitri Nagar,Bhilai.Distt. Durg.

177. B.M.Kewasamani,
Qr.No.9-A,St.-37,Sector-10,Bhilai,Distt.Durg.

178. K.B.K.Murthy,
93-E,Risali Sector,Bhilai,Distt.Durg.

179. Shishir Chakravorty,
35-E,Ayodhya Apartment, 2nd Floor,Deepak Nagar, Durg.

180. J.L.Diwakar,
7A,St-26,Sector-4,Bhilai,Distt.Durg.

181. Mohi Gopal Shosh,
M-41,(Opp. 64 LIG),Vaishani Nagar,Bhilai, Distt.Durg.

182. Dilbagh Ahuja,
48/11,Nehru Nagar,Bhilai,Distt.Durg.

183. P.K.Subramaniyam,
B-133, St.-14,Smriti Nagar,Bhilai,Distt.Durg.

184. S.L.Kathane,
B-269, St.-5,Smriti Nagar,Bhilai,Distt.Durg.

185. A.S.Tallewar,
EWS-135, Vaishali Nagar,Bhilai,Distt.Durg.

186. K.G.Achari,
201, MIG-II, HUDCO,Bhilai,Distt.Durg.

187. K.C.Malhotra,
MIG-187, Padmahabhpur,Durg.

188. B.V.Anjanyulu,
B-62,St.-12,Smriti Nagar,Bhilai,Distt.Durg.

189. V.R.Derve,
Bk.C/619,State Bank Colony,Sector-8, Bhilai, Distt.Durg.

190. Dayal Singh,
A-12-A,Central Avenue,Smriti Nagar, Bhilai,Distt. Durg.

191. A.Sengupta,
31/5, Nehru Nagar(West),Bhilai,Distt.Durg.

192. S.K.Ser,
HK No.31,Plot No.4,Nehru Nagar(West),Bhilai, Distt. Durg.

193. J.K.Dathpalia,
Plot No.16,Block No.24,Nehru Nagar(East), Bhilai, Distt.Durg(MP).

Contd...11/-

194. J.C.Mukherjee,
40/2, VIP Nagar, Risali,Distt.Durg.

195. A.D.Varvandhkar,
Alankar, MIG-II-193,HUDCO,Bhilai,Distt.Durg.

196. P.K.Gupta,
10/24, Ispat Nagar, Risali,Bhilai,Distt.Durg.

197. N.Bhattacharjee,
BK No.22,Plot No.7,Nehru Nagar,Bhilai,Distt. Durg.

198. K.Misra,
Shop No.96,HUDCO,Bhilai,Distt.Durg(MP).

199. P.T.Samuel,
MIG-I,59,HUDCO,Bhilai,Distt.Durg(MP).

200. B.Ramamurthy,
C/o R.K.Pillai,
House No.72, Phase-4D,Maitri Nagar,Risali,
Bhilai,Distt.Durg(MP).

201. B.C.Dewan,
356/3, Pragati Nagar, Risali,Bhilai,Distt.
Durg.

202. A.K.Tiwari,
MIG-I/959,HUDCO,Bhilai,Distt.Durg.

203. S.J.Balani,
C/o S.K.Bhatia, MIG-II, 264,HUDCO,Bhilai,
Distt.Durg.

204. Kunj Behari Singh,
MIG-I/804,HUDCO,Bhilai,Distt.Durg.

205. Moginder Singh Bawa,
Plot No. 2,BK No.46,Nehru Nagar,Bhilai,
Distt.Durg.(MP).

206. Sadiq Ali,
Supela Polic e Station Road,Farid Nagar,
Bhilai,Distt.Durg.

207. Maqbul Ahmed,
MIG-I,492,HUDCO,Bhilai,Distt.Durg.

208. R.C.Chowdhari,
53/14, Nehru Nagar(East),Bhilai,Durg.

209. L.N.Sharma,
MIG-I,278,HUDCO,Bhilai,Distt.Durg.

210. C.M.Lal,
24-B,St.-1,Sector-1,Bhilai,Distt.Durg.

211. M.E.Jali,
24-B/St. 1/Sector-1,Bhilai,Distt.Durg.

212. M.L.Shukla,
14-A,Hanuman Nagar,Durg.

Contd..12/-

213. W.S.Bhatt,
House No.D-4,Adarsh Nagar,Durg.

214. V.K.Shrma,
B-233,St.-6,Smriti Nagar,Bhilai,Distt.Durg.

215. K.G.Pillai,
Thundathil, Edayaranmula P.O.,
Distt.Pathanamthitta, Kerala.

216. M.N.Puranik,
St.-8,Shanti Nagar,Supela,Bhilai,Distt.Durg.

217. P.S.Philip,
MIG-I/183/HUDCO,Bhilai,Distt.Durg.

218. M.Apparao,
House No. B-17-5, Udaya Society,Sector-3,
Teli Bandha, Raipur.

219. B.K.Bhattacharya,
House No. 65/3A,Street-6B,Maitri Nagar,
Bhilai,Distt.Durg.

220. Smt. B.Samrajyam,
Qr.No.5B,St.-36,Sector-V,Bhilai,Distt.Durg.

221. P.Suryaprakash Rao,
MIG-665, Padmanabhpur,Durg.

222. H.C.Gulati,
MIG-II-136 HUDCO Bhilai Distt.Durg.

223. B.K.Parmar,
5-A/St.30,Sector-8,Bhilai,Distt.Durg.

224. T.G.Raju,
6B/St.30,Sector-8,Bhilai,Distt.Durg.

225. Y.P.Bansal,
Block-12, Plot-13,Nehru Nagar(East),
Bhilai,Distt. Durg.

226. Prem Shankar Pandey,
40/10, Nehru Nagar(East),Bhilai,Dist.Durg.

227. A.L.Kulkarni,
302, Alka Apartment, 97-98,Srinagar,Indore.

228. G.D.Mukhopadhyay,
Qr.No.29-B,St.-6,Sector-1,Bhilai,Distt.Durg.

229. N.P.Singh,
3A,St-30,Sector-8,Bhilai,Distt.Durg.

230. Jagdesh Chand,
172-B,St.-8,Smriti Nagar,Bhilai,Distt.Durg.

231. P.K.Rudra,
61/1, Nehru Nagar(East),Bhilai,Distt.Durg.

232. G.Radha Krishma Murthy,
MIG-II/469, HUDCO,Bhilai,Distt.Durg.

Contd...13/-

(S.M)

233. D.K.Chakravorty,
35/2, Maitri Nagar, Risali,Bhilai,Distt.Durg.

S 234. Kamal Krisna Modgil,
MIG-544, Borsi Extension,Durg.

S 235. T.J.Watwani,
8/4, Nehru Nagar(West),Bhilai,Distt.Durg.

S 236. R.M.Verma,
7B,St.18,Sector-1,Bhilai.

S 237. A.S.Monga,
BK-59, Plot-10,Nehru Nagar,Bhilai,Distt.Durg.

S 238. Avtar Singh,
B-217,St. -6,Smriti Nagar,Bhilai,Distt.Durg.

S 239. R.N.Pal,
B-5,Central Avenue,Smriti Nagar,Bhilai.
Distt.Durg.

S 240. V.V.Nair,
6A,St-6,Sector-10,Bhilai,Distt.Durg.

S 241. M.N.Rai,
B-4,Central Avenue,Smriti Nagar,Bhilai,
Distt.Durg.

S [illegible] [illegible],
52/12, Nehru Nagar,Bhilai,Distt.Durg.

S 243. P.N.Singh,
Qr.No.3A,BK-24-A,Nehru Nagar,Bhilai,
Distt.Durg.(MP).

S 244. K.M.Dubey,
B-20,St.-11,Smriti Nagar,Bhilai,Distt.Durg.

S 245. R.K.Venkatachalam,
B-104,St.-13,Smriti Nagar,Bhilai,Distt.Dur

246. M.Venkata Raman,
B-257,St.-5,Smriti Nagar,Bhilai,Distt.Durg.

247. B.Sarkar,
MIG-82,Padmanabhpur,Durg.

248. G.Kameshwar Rao,
MIG-II/335, HUDCO,Bhilai,Distt.Durg.

249. M.R.Chatterjee,
29/4A/Maitri Nagar,Risali,Bhilai,Distt.Du

S 250. M.R.Das,
Plot No.7,BK-25,Nehru Nagar,Bhilai,
Distt.Durg.

S 251. K.B.Sehgal,
B-256, St.-5,Smriti Nagar,Bhilai,
Distt.Durg.

Contd...14/-

252. R.Shivappa,
330/37, Pragati Nagar, Risali,Bhilai,
Distt.Durg.

253. Tapan Kumar Rai,
M/586, Padmanabhpur, Durg.

254. G.M.Mathur,
5A/St.-26,Sector-10,Bhilai,Distt.Durg.

255. B.N.Vishwakarma,
2A, St.-16,Sector-7,Bhilai,Distt.Durg.

256. O.P.Batra,
HIG-31, HUDCO,Bhilai,Distt.Durg.

257. V.P.Ramchandran,
Plot No.34-35, Akanksha Kunj,Bhilai,
Distt.Durg.

258. S.S.P.Kesari,
Plot No.E-647,St-36,Smriti Nagar,Bhilai,
Distt.Durg.

259. A.L.Munshi,
25/1, Nehru Nagar(East),Bhilai,Distt.Durg.

260. S.C.Jain,
25/1, Nehru Nagar(East),Bhilai,Distt.Durg.

261. D.K.Ghosh,
2/2, Maitri Nagar, Risali,Bhilai,Distt.Durg.

262. Smt. Sudhitha.S.
2A, St.-21, Sector-10,Bhilai, Distt.Durg.

263. D.S.Tomar,
Plot No.9, Akanksha, Priyanka Nagar,
Risali, Distt.Durg(MP).

264. M.D.Roy,
63/1, Maitri Nagar,Bhilai,Distt.Durg.

265. B.K.Sinha,
129-5A, Maitri Nagar,Risali,Bhilai.

266. O.P.Bhaatiya,(O.P.Bhatia)
Plot No.12, HK_3,Nehru Nagar,Bhilai,Distt.
Durg.

267. Rajendra Nath,
MIG-I,120,HUDCO,Bhilai,Distt.Durg.

268. M.L.Wahi,
36/1, St.-8B,Maitri Nagar,Risali,Bhilai,
Distt.Durg.

269. P.C.Vedjana,
60-B,St.-5A,Maitri Nagar, Bhilai,Distt.Durg.

270. N.C.Palit,
7A,St.4,Bhilai, Distt.Durg.

Contd...15/-

271. S.M.Shrivastava,
57/2, Nehru Nagar(West),Bhilai,Distt.Durg.

272. Sohan Lal,
BK-48,Plot-8,Nehru Nagar(East),Bhilai,Distt.Durg.

273. B.K.Goyal,
MIG-560, Padmanabhpur,Durg.

274. Padmakar Vaman Athale,
Block -14,Plot-18, Nehru Nagar,Bhilai,
Distt. Durg.

275. R.K.Dhaniya,
BK-34, Plot-15,Nehru Nagar,Bhilai,Distt.Durg.

276. R.M.Wahi,
House No.11, Block-35,Nehru Nagar(East),
Bhilai,Distt.Durg(MP).

277. V.N.Palsodkar,
Block-25,Plot No.4,Nehru Nagar,Bhilai,
Distt. Durg.

278. R.A.Mahadik,
HIG-89, HUDCO,Bhilai. Distt.Durg.

279. M.H.Jodde,
29/10, Nehru Nagar(East),Bhilai,Distt.Durg.

280. N.B.Ahuja,
[illegible] Nagar(West),Bhilai,Distt.Durg.

281. B.P.Pandey,
Qr.No.2, MPHB, Karim Colony, Mungeli,
Distt. Bilaspur.

282. T.Ramanamurthy,
Qr.No.2, Adharsh Nagar, Kasaridih,Durg.

283. A.K.Aggarwala,
Block-24,Plot-4,Nehru Nagar(East),Bhilai,
Distt.Durg.

284. I.K.Leekha,
5H,St.10,Sector-10,Bhilai,Distt.Durg.

285. R.Bhargava,
SM-51, Padmanabhpur,Durg.

286. Mahesh Chandra,
MIG-78, Padmanabhpur,Durg.

287. R.P.Kesari,
HN-SN-74, Padmanabhpur,Durg.

288. M.S.Nanwani,
A-74, St.-27, Smriti Nagar, Bhilai, Distt.Durg.

289. S.K.Shrivastava,
House No.31, Trivary Colony,
Cross Street-5, Smriti Nagar,Bhilai,
Distt.Durg.

Contd...16/-

15.P

-: 16 :-

J.L.Verma,
Block-37, Plot-2, Nehru Nagar, Bhilai,
Distt. Durg.

S 291. S.C.Malik,
HIG-63, HUDCO, Bhilai, Distt.Durg.

S 292. J.K.Das,
1/9, Maitri Kunj, Risali, Bhilai.Distt.Durg.

S 293. D.B.Narula,
Block-58, Plot-13, Nehru Nagar(East),
Bhilai, Distt. Durg.

S 294. Kewal Chand Jain,
BK-36, Plot -6, Nehru Nagar(West),
Bhilai, Distt.Durg.

S 295. D.P.Chakravorty,
H.N.-4, Block-15, Nehru Nagar(West),
Bhilai, Distt.Durg.

S 296. N.G.Dey,
LIG-88, HUDCO, Bhilai Distt. Durg.

HIGH COURT OF JUDICATURE AT BILASPUR: CHHATTISGARH

DIVISION BENCH

CORAM: HON'BLE SHRI H.L. DATTU, CJ AND
HON'BLE SHRI V.K. SHRIVASTAVA, J.

Writ Petition No.5925 of 1998

PETITIONER Steel Authority of India Ltd., Bhilai Steel Plant

VERSUS

RESPONDENTS: State of Madhya Pradesh and others

Present: Shri N.K. Vyas, counsel for the petitioner.
Shri Prashant Mishra, Additional Advocate General for the State.
Shri Rajeev Shrivastava, counsel for respondent No.4.
Shri Pradeep Saksena, counsel for respondent No.136.

ORAL ORDER

(Passed on 21st February, 2007)

The following oral order of the Court was passed by H.L. Dattu, CJ.

Respondents are served. But except respondents No. 4 and 136, no one has entered appearance through their learned counsel. Therefore, the other respondents are placed ex parte.

(2) Petitioner is a public sector undertaking. In this petition filed under Articles 226 and 227 of the Constitution of India, the petitioner is requesting us to quash the impugned order Annexure P/1 and the calculation sheet attached to Annexure P/1 and other reliefs.

(3) In the body of the petition, petitioner has made certain assertions and allegations against respondent No.4. Taking note of

this, this Court had directed the C.B.I. to investigate and then file a report before this Court. Pursuant to the orders and directions issued by this Court, the C.B.I. has filed its report and the same is available on the file. But, at this stage, we do not intend either to open the cover or to look in to what is contained in this report.

(4) Learned counsel appearing for the petitioner has also filed a memo. In that he has stated that he would not insist on the prayers made in the application filed on 27-03-2006. The memo filed by the petitioner is as under :

"**MEMO OF SUBMISSION**

The petitioner named above most humbly submit as under :-

1) That, the Hon'ble Court vide its order dated 17-04-99 has directed to hold C.B.I. enquiry against respondent no.4, the C.B.I. has submitted its report before the Hon'ble Court.

2) That, the petitioner is not pressing its application dated 27-03-2006 for opening of C.B.I. report, and not claiming the prayer no. "8.3" the respondent no.1 be directed to make enquiries in to such illegal activities of Shri Satya Prakash Verma and take necessary action.

PRAYER

It is, therefore, prayed that the petitioner is not praying for opening of C.B.I. report or for direction to respondent no.1 to make enquiry against respondent no.4.

Prays accordingly."

(5) Respondent No. 4 has also filed a memo before this Court and in that he has stated that since the petitioner has withdrawn all the

allegations made against the respondent No.4, he does not claim any damages against the petitioner before any forum. The memo filed by respondent No. 4 is as under :

"UNDER TAKING ON BEHALF OF RESPONDENT NO.4

The above named respondent no.4 most humbly & respectfully begs to submit as under:-

1. That, since the petitioner has withdrawn all the allegation against respondent no.4 therefore on account of making allegation against the respondent no.4, the respondent no.4 will not claim any damages against the petitioner in any forum."

(6) The memos filed by the petitioner as well as by respondent No.4 are placed on record.

(7) The petitioner being aggrieved by the order passed by the Competent Authority under the provisions of the Payment of Gratuity Act, 1972 ("Act" for short) has already filed an appeal before the First Appellate Authority. We are informed by the learned counsel for the petitioner as well as by the learned counsel for the respondent No.4 that the Appellate Authority has allowed the petitioner's appeal and thereby has set aside the impugned order passed by the Competent Authority under the provisions of the Act.

(8) We are also informed that aggrieved by the said order, some of the respondents have preferred a writ petition before this Court and the same is pending for consideration. In that view of the matter, for the present, the first portion of the prayer sought for by the petitioner in this writ petition does not survive for our consideration.

(9) Learned counsel appearing for the petitioner would submits that based on the calculation sheet Annexure P/6, some of the respondents are making demands with the petitioner –Company for settling the gratuity amount. Learned counsel would further submit that the 4th respondent has not passed any orders and the same are not communicated to the petitioner. However, learned counsel appearing for the respondents No. 136 would submit that the 4th respondent has passed an order under the provisions of the Act. In our opinion, if that is so, the respondents would file an appropriate award before the petitioner to comply with the orders and directions issued by the Competent Authority. If and when such awards are produced before the petitioner for settling the claims made in the awards, we are inclined to give an opportunity to the petitioner to question those awards before the appropriate forum within a particular time frame. In view of the above, the following :

Order

(1) The allegations made by the petitioner against the 4th respondent in the writ petition are expunged.

(2) The 4th respondent shall not claim any damages against the petitioner for the so called allegations made in the writ petition.

(3) The respondents are at liberty to approach the petitioner-Company to settle their claim, if any, under the provisions of the Act, if they have an award in their possession, within two months from today. If such awards are produced before the petitioner, the petitioner is at liberty to question the same before the appropriate forum within a month thereafter. If

and when such appeals are filed by the petitioner-Company, the appellate forum shall decide the same on merits without reference to the period of limitation.

(4) With the aforesaid observations and directions, the writ petition is disposed of.

(5) Ordered accordingly.

Sd/-
Chief Justice

Sd/-
V.K. Shrivastava
Judge